

CITY OF COLUMBIA FALLS

CITY COUNCIL REGULAR MEETING JULY 05, 2022

Mayor Barnhart called the meeting to order at 7:00 p.m.

CALL TO ORDER: Councilor Fisher, Councilor Karper, Councilor Lovering, Councilor Piper, Councilor Robinson, Councilor Shepard and Mayor Barnhart. Also present: City Manager Nicosia, City Clerk Staalnd, City Attorney Breck and Sergeant Murphy.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: Councilor Robinson motioned to approve the agenda, seconded by Councilor Piper and the motion carried.

CONSENT AGENDA: Councilor Fisher made motion to approve the Consent Agenda, noting all claims appeared to be in order, seconded by Councilor Shepard and the motion carried.

Approval of June Claims - \$233,315.30

Approval of July 2022 Claims - \$15,583.38

Approval of June 24, 2022 Payroll Claims

Approval of June 30, 2022 Payroll Quarterlies

Approval of June 20, 2022 Regular City Council Meeting Minutes

Mayor Barnhart read the following - NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on **Tuesday, July 12, 2022 at 6:30 p.m.** at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on **August 1, 2022 starting at 7:00 p.m.** in the same location.

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

Mick Ruis is requesting a zoning map amendment on behalf of HC 246 LLC in the Columbia Falls Zoning Jurisdiction. The property is located at 230 Highway 2 East in Columbia Falls and is described as Assessor's Tracts 2E, 2EC, 4EA, 4EAA and 4E Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County (See Exhibit A for Metes and Bounds Description). The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a zoning map amendment in the Columbia Falls Zoning Jurisdiction. The property is located at 264, 316, 378, 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the applicant is proposing CR-4 (Urban Residential).

Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the development is called River Highlands Apartments. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 65 attached single family row houses, 390

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apartment units and 10 row house units dedicated to the Northwest Montana Community Land Trust. The total unit count is 455 units on 49.1 acres gross for a density of 9.2 units per acre. The applicant is proposing 21.5 acres (43%) of the site as park and open space. With the project, the applicants are proposing to move River Road further east on Highway 2 and if supported by the MDOT the applicants would install a traffic signal at Highway 2 and River Road. Two deviations are requested with the PUD, the applicant is requesting to zoning deviations, one would allow an increase in height of ten feet allowing a portion of the apartment buildings to approach 45 feet in height and the second deviation would reduce the parking requirement from 2 spaces per unit down to 1.5 spaces per unit.

Request for a subdivision in the Columbia Falls Zoning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a Subdivision in the Columbia Falls Zoning Jurisdiction. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The subdivision will create 21 lots (17 residential and 4 open space lots) The subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path. The new roads within the project will be privately maintained but open to the public. The proposed subdivision is part of the zone change and PUD application for River Highlands Apartments

Interested persons are allowed to attend the hearing(s) in person or via ZOOM. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. To obtain the ZOOM meeting registration, contact City Clerk Barb Staaland via email or by calling (406) 892-4391 no later than 5:30 p.m. the day of the meeting.

Mayor Barnhart read the Budget Hearing notice:

Notice of 22-23 Fiscal Year Preliminary Budget Hearings - Beginning August 1, 2022:

NOTICE IS HEREBY GIVEN, that the City Council of the City of Columbia Falls, Montana, will hold public hearings beginning on August 1, 2022 at 7:00 p.m. in the Columbia Falls City Hall, 130-6th Street West, Columbia Falls, Montana, for the following purposes:

Preliminary Budget

Presentation and consideration of the preliminary budget for fiscal year beginning July 1, 2022 and ending June 30, 2023. This hearing will be continued until final adoption of the budget after receiving the certified taxable valuation.

Special Assessments

Consideration of the adoption of the Street Lighting District and Street Maintenance District assessments for FY2022/2023. Council will hear any objections to the final adoption of the resolution levying special assessments for FY 2022/2023. Special Assessments are estimated as follows:

Street Lighting District	\$ 30,049
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Street Maintenance District \$316,000

Individual property payment schedules are available for inspection ten (10) days from this notice, in the office of the City Clerk, 130 6th Street West, Columbia Falls, Montana, during regular hours Monday through Friday, 7:00 AM to 6:00 PM.

Permissive Medical Levy

Consideration of adoption on the proposed tax levy to fund health insurance premium contributions for group benefits beyond the amount of contributions in effect on. The actual mills for consideration will be made available upon receipt of the certified tax valuation for the year.

Taxpayers are encouraged to attend the hearings and give written or oral comments on any or all of the budget-related items. Written comments may be mailed to the City Clerk, Barb Staaland, City Clerk, 130 6th St West, Room A, Columbia Falls, MT 59912. Questions regarding the proposed items can be made by contacting City Manager Susan Nicosia at 892-4391.

NEW BUSINESS:

Porta Potty Contracts

City Manager Nicosia said the City currently has contracts with two haulers; these operators have increased the volume of porta-potty waste brought to our facility three and four-fold in five years. The waste brought to the plant has very high TSS, BOD, Phosphorous and TKN. Accepting this waste in the quantity has a negative impact on the plant operations. The City gave notice to the haulers that we intended to amend the contract reducing the substantial increase in waste brought to our plant to a manageable amount.

City staff is recommending a three-year reduction $\frac{3}{4}$, $\frac{1}{2}$, and $\frac{1}{4}$. This reduction would bring the hauling back to the original amount brought to our plant.

Councilor Shepard asked where they are going to take the excess that we are not taking. Public Works Director Hanley said Whitefish is getting close to entertaining to allow them to dump there. Councilor Robinson asked why we need to take three years for reduction. Nicosia noted that Columbia Falls is the kinder, gentler City. Hanley said the county will hopefully be close to opening a facility for septage and biosolids.

Councilor Shepard motioned to approve the proposed contract terms, seconded by Councilor Fisher with Council voting as follows. Ayes: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard asked Sergeant Murphy if the Police Department received many fireworks calls after midnight. Murphy said they received six total calls for the evening. Shepard voiced his concern on overgrown grass within the city.

Councilor Lovering said the striping on the highway and Nucleus Ave was somewhat smeared. Lovering said she is glad they changed the Noise Ordinance hours to later in the evening.

Mayor Barnhart asked if we have a grant in for the damage that was done to the river bank at River's Edge Park. Nicosia said we are getting quotes on damage and will seek FEMA funding.

Mayor Barnhart gave an update on the proposed biosolids facility.

Barnhart asked when the Columbus Park bathroom will be operational. Hanley said we have a plumber scheduled to finish it. Mayor Barnhart noted that he would like to see more playground equipment in the park.

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CITY MANAGER REPORT

Project Updates-City Manager Nicosia gave the Council updates on these projects:

The ARPA projects as approved by DNRC move slowly, but the City just received a letter from the Governor approving our 5th Ave. EN water main project. The Engineer will get started on the design for bid.

The Engineers are still working on our Waste Water project; there are three components of that project, lift station #2, 13th St. W. sewer main upgrade and the \$5m in WWTP improvements.

The call for bids for the priority street projects will be ready for the next meeting.

The City received the construction estimate on the sidewalk and bike path next to Glacier Gateway School at \$189,000. City staff will look into grant funding.

The Nucleus Ave. Bulb out will be put in with TIF funds, along with angled and downtown parking on 1st Ave West.

Staff met with BNSF on the 12th Ave W EDA project and they want us to completely replace the railroad crossing and add gates on 12th. The medical complex needs to get hooked up to water as soon as possible Nicosia noted.

The backup generator project will be starting this summer with conduit and slab that the City will install but the generator will not be received until this winter.

Nicosia reported that this weekend is the Columbia Falls Invitational swim meet and they have permission to use the High School parking lot for campers which should relieve the neighborhood.

The City is going to improve the landscaping at the Fire Hall before Heritage Days and the memorial for Joe Smith. The estimate is \$2,160 to have it replanted with a drip system.

Mayor Barnhart inquired about the fence at the Railroad Street Park. Hanley said the Baseball Association was supposed to take care of that and he will follow up.

Nicosia updated council on the Resort Tax collections at June 30th: \$518,452.92 - \$136,435 (25%) will go to tax relief, \$300,157 (55%) to Public Safety, \$76,404 to other infrastructure (14%) and \$5,456 (1%) is for administrative costs (audit, software).

Councilor Lovering inquired about receipts reflecting on which items was the resort tax charged. Nicosia said each store is different as each point of sale is not the same.

CITY ATTORNEY REPORT

City Attorney Breck reported that the City prevailed on the Board of Adjustment law suit with the District Court affirming the Board of Adjustments' decision.

ADJOURN: Councilor Lovering motioned to adjourn seconded by Councilor Shepard and the meeting was adjourned at 8:07 p.m.

Mayor

City Clerk